

13 tors of the corporation shall be the officers and board of the district.
 14 The applicable laws of the state and the articles of incorporation and
 15 bylaws of the corporation shall control the initial size and initial term
 16 of office of such officers and board, in lieu of sections seven (7), nine
 17 (9), and ten (10) of this Act. At the first annual meeting of the
 18 participating members and board of directors, the district shall bring
 19 its operation and structure in compliance with section seven (7)
 20 through section ten (10) of this Act.

Approved March 26, 1970.

CHAPTER 1177

STREET LIGHTING DISTRICTS

S. F. 568

AN ACT to provide for establishment of benefited street lighting districts in unincorporated areas.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The board of supervisors of any county shall, on the
 2 petition of twenty-five percent of the resident property owners in any
 3 proposed benefited street lighting district if the assessed valuation of
 4 the property owned by the petitioners represents at least twenty-five
 5 percent of the total assessed value of the proposed district, hold a
 6 public hearing concerning the establishment of such proposed street
 7 lighting district. Such a petition shall include a statement containing
 8 the following:

- 9 1. The need for street lighting service.
- 10 2. The district to be served.
- 11 3. The approximate number of families in the district.
- 12 4. The proposed utility to provide the street lighting service.

13 The board of supervisors may require a bond of the petitioners con-
 14 ditioned for the payment of all costs and expenses incurred in the
 15 proceedings in case the street lighting district is not established.

1 SEC. 2. A benefited street lighting district may include all or por-
 2 tions of the unincorporated areas of one township and any unincor-
 3 porated areas of adjoining townships or portions thereof. However,
 4 such district shall contain only such area wherein the benefits derived
 5 from such street lighting shall be ratably spread between those people
 6 and families to be served.

1 SEC. 3. Such public hearing shall be held within thirty days of the
 2 presentation of the petition. Notice of hearing shall be given by
 3 publication in two successive issues of any paper of general circula-
 4 tion within the district. The last publication shall be not less than
 5 one week before the proposed hearing.

1 SEC. 4. After the hearing, the board of supervisors may by reso-
 2 lution establish the benefited street lighting district or disallow the
 3 petition. The board of supervisors may defer action on such petition

4 for not to exceed ten days after the day first set for a hearing.

1 SEC. 5. When the board of supervisors shall have established a
2 benefited street lighting district, they shall appoint a competent dis-
3 interested civil engineer, who shall prepare a preliminary plat show-
4 ing:

5 1. The proper design in general outline of the district.

6 2. The lots and parcels of land within the proposed district as they
7 appear on the county auditor's plat books with the names of the
8 owners.

9 3. The assessed valuation of said lots and parcels.

10 The compensation of such engineer on the preliminary investiga-
11 tion shall be determined by the board of supervisors. The engineer
12 shall file his report with the county auditor within thirty days of his
13 appointment. The board of supervisors may extend such time upon
14 good cause shown.

1 SEC. 6. After the engineer's report is filed, the board of super-
2 visors shall give notice in the same manner as for the original hear-
3 ing, of a public hearing to be held concerning the engineer's prelimi-
4 nary plat. On the day set for such hearing, or within ten days
5 thereafter, the board of supervisors shall approve or disapprove the
6 preliminary plat. The board of supervisors may make changes in the
7 boundaries as they appear on the engineer's report.

1 SEC. 7. When a preliminary plat has been approved by the board
2 of supervisors, an election shall be held within the district within
3 sixty days to approve or disapprove the levy of a tax of not more than
4 two mills on all the taxable property within the district, and to choose
5 candidates for the offices of trustees of the district. Notice of the
6 election, including the time and place of holding the same, shall be
7 given in the same manner as for the original public hearing as pro-
8 vided herein. The vote shall be by ballot which shall state clearly the
9 proposition to be voted upon, and any qualified voter residing within
10 the district at the time of the election shall be entitled to vote. Judges
11 shall be appointed to serve without pay by the board of supervisors
12 from among the qualified voters of the district who will have charge
13 of the election. The proposition shall be deemed to have carried if
14 sixty percent of those voting thereon vote in favor of same.

1 SEC. 8. At such election, the names of candidates for trustee shall
2 be written in by the voters on blank ballots without formal nomina-
3 tion, and the board of supervisors shall appoint three from among the
4 five receiving the highest number of votes as trustees for the district;
5 one to serve for one year, one for two years, and one for three years.
6 The trustees and their successors shall give bond in the amount the
7 board of supervisors may require, the premium of which shall be paid
8 by the district said trustees represent. Vacancies may thereafter be
9 filled by election, or by appointment by the board of supervisors. The
10 term of succeeding trustees shall be for three years.

1 SEC. 9. The trustees may purchase street lighting service and
2 facilities and may levy an annual tax not to exceed two mills for the
3 purpose of exercising the powers granted in this Act. This levy shall
4 be optional with the trustees, but no levy shall be made unless first

5 approved by the voters as provided herein. The trustees may purchase
6 material, employ labor, and may perform all other acts necessary to
7 properly maintain and operate the benefited street lighting district.
8 The trustees shall be allowed necessary expenses in the discharge of
9 the duties, but shall not receive any salary.

1 SEC. 10. Benefited street lighting districts may anticipate the
2 collection of taxes by the levy herein provided, and to carry out the
3 purposes of this Act may issue bonds payable in not more than ten
4 equal installments, with the rate of interest thereon to not exceed
5 seven percent per annum. No indebtedness shall be incurred under
6 this Act until authorized by an election. Such election shall be held
7 and notice given in the same manner as the election provided herein
8 for the authorization of a tax levy, and the same sixty percent vote
9 shall be necessary to authorize indebtedness. Both propositions may
10 be submitted to the voters in the same election.

1 SEC. 11. Upon petition of thirty-five percent of resident voters,
2 the board of supervisors may dissolve a benefited street lighting dis-
3 trict and dispose of any remaining property, proceeds of which shall
4 first be applied against outstanding obligations and any balance shall
5 be applied to tax credit of property owners of the district. The board
6 of supervisors shall continue to levy tax after dissolution of a dis-
7 trict, of not to exceed two mills on all the taxable property of the dis-
8 trict, until all outstanding obligations of the district are paid.

1 SEC. 12. The owner of any property in an unincorporated area
2 immediately contiguous to the boundaries of any established benefited
3 street lighting district may petition the board of supervisors to be
4 included in the district. Upon receipt of such petition the board shall
5 submit the request to a competent disinterested civil engineer to in-
6 vestigate the feasibility of adding such additional territory and to
7 make a report to the board. If the board agrees that said property
8 should be added to the district, the tax levy for the next year shall
9 be applied to said property and on the first day of the said next year
10 said property shall be considered a part of the district. If the bene-
11 fitted street lighting district lies in more than one county the joint
12 action of the boards of supervisors shall be required to add additional
13 territory.

1 SEC. 13. The owner of any property joining an established bene-
2 fitted street lighting district shall pay to the board of trustees of the
3 district an initial fee to be computed as follows:

4 1. The board of trustees shall first determine fair market value of
5 all property and improvements owned by the benefited street lighting
6 district, less any indebtedness.

7 2. The board shall then determine the assessed value of all property
8 in said district. This shall be divided into the value determined in
9 subsection one (1) of this section.

10 3. The board shall determine the assessed value of the property of
11 each landowner joining the established district.

12 4. The result obtained in subsection two (2) shall be multiplied
13 by the result obtained in subsection three (3). The result shall be
14 the initial fee to be charged each landowner.

15 The initial fees paid to the district trustees shall be used to help
16 defray the cost and maintenance of the district's street lighting serv-
17 ice.

Approved April 2, 1970.

CHAPTER 1178
TOWNSHIP BONDS

S. F. 1248

AN ACT relating to the rate of interest on anticipatory bonds issued by townships.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred fifty-nine point forty-five
2 (359.45), Code 1966, is hereby amended by striking from line six (6)
3 the word "five" and inserting in lieu thereof the word "seven".

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its final approval and publica-
3 tion in the Lee Town News, a newspaper published in Des Moines,
4 Iowa, and in the Adams County Free Press, a newspaper published
5 in Corning, Iowa.

Approved April 10, 1970.

I hereby certify that the foregoing Act, Senate File 1248, was published in the Lee Town News, Des Moines, Iowa, April 16, 1970, and in the Adams County Free Press, Corning, Iowa, April 23, 1970.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 1179
TOWNSHIP HALLS

S. F. 1048

AN ACT relating to township halls.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred sixty point one (360.1), Code
2 1966, is hereby amended by inserting in line four (4) after the comma
3 the words "or acquiring by a lease with purchase option,".

1 SEC. 2. Section three hundred sixty point two (360.2), Code 1966,
2 is hereby amended by striking line eight (8) and inserting in lieu
3 thereof the following:

4 "the township, except that such five-year limitation shall not apply
5 in case of a public hall acquired by a lease with a purchase option.
6 When such tax is collected".

1 SEC. 3. Section three hundred sixty point eight (360.8), Code
2 1966, is hereby amended by inserting in line three (3) after the word